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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/836,201	04/18/2001	Akihiro Hosokawa	109305	6504

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EXAMINER

WONG, KIN C

ART UNIT	PAPER NUMBER
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2651

DATE MAILED: 02/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/836,201

Applicant(s)

HOSOKAWA ET AL.

Examiner

K. Wong

Art Unit

2651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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This is a response to amendment filed on 11/12/03.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims (1-13) are rejected under 35 U.S.C. 103(a) as being unpatentable over Yaeger et al (6057975) in view of Yamamoto et al (5728240).

Regarding claims 4, 10 and 11: Yaeger et al discloses an apparatus for adjusting the static angular position of a magnetic head unit including:

a magnetic head unit (element 40 in figure 3 of Yaeger et al) having a head support and a magnetic head, the head support including a flexible member (element 26 in figure 3) to which the magnetic head is mounted;

an angular position modifying unit (as depicted in figure 7) for applying a bend onto the flexible member for adjusting the static angular position (see depiction of figure 3); and

a laser emitter unit (element 44 in figure 3) for irradiating a laser beam onto areas of the flexible member where the bend is applied. The limitations are considered satisfied because Yaeger et al discloses a laser control system for adjusting the head positioning in a drive (see col. 2, lines 19-12 of Yaeger et al).

However, Yaeger fails to mention a moveable arm that holds the flexible member (magnetic head unit) or a holder for the flexible member. Yamamoto et al is relied for

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the teachings of a holder for the magnetic head unit (see col. 13, lines 56-64 and figure 3 of Yamamoto et al).

It would have been obvious to one of ordinary skill in the art at the time of invention was made to modify the apparatus of Yaeger et al with the magnetic head holder for adjusting the magnetic head as taught by Yamamoto et al. The rationale is as follows: one of ordinary skill in art at the time of the invention was made would have been motivated to provide an external apparatus magnetic head adjustment.

Regarding claim 5: Yaeger et al depicts in figures 3, 4 and 5 that wherein the head support includes a load beam which has a free end, the flexible member is jointed at one side to the free end of the load beam and at the other side to the magnetic head, and the laser emitter unit irradiates the laser beam onto areas of the flexible member, where the bend is applied, between the magnetic head and the joint between the flexible member and the load beam.

Regarding claims 6 and 7: Yaeger et al teaches that further comprising: a displacement measuring unit for detecting the bend of the flexible member; and a controller unit for controlling the action of the laser emitter unit and the angular position modifying unit based on a detection signal from the displacement measuring unit (in col. 2, lines 38-59 and col. 3, line 18 to col. 4, line 37 of Yaeger et al).

Regarding claims 8 and 9: the limitations of a laser beam shielding means for shielding a protected region from the laser beam are considered known because it is a known knowledge for artisan in the art to protect or localize the laser target region.

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Regarding claims 12 and 13: the limitations of wherein the angular position adjusting apparatus includes four movable arms which are pin-like members, distal ends of which are arranged to be in direct contact with flange portions of the flexible member are considered known grip finger/clamps/jaws (or pin-like member) for jig to grip or hold down arm/head assembly when the assembly is out of the drive.

Regarding claims 1-3: method claims (1-3) are drawn to the method of using the corresponding apparatus claimed in claims (4-13). Therefore method claims (1-3) correspond to apparatus claims (4-13) and are rejected for the same reasons of obviousness as used above.

### ***Response to Arguments***

Applicant's arguments filed 11/12/03 have been fully considered but they are not persuasive because the arguments are directed to the newly amended claims.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to K. Wong whose telephone number is (703) 305-7772.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Hudspeth can be reached on (703) 308-4825. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for all communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Wkw

29 Jan 03

  
DAVID HUDSPETH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600